IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4329 OF 2005

Yeshwant Vithu Patil ...Applicant
Vs.
The State of Maharashtra ...Respondent

AND

CRIMINAL APPLICATION NO.4330 OF 2005

Shirish Yeshwant Patil ...Applicant
Vs.
The State of Maharashtra ...Respondent

Mr. Nitin Pradhan i/by Shri. S.D. Khot for the Applicant.
Ms M.H. Mhatre, A.P.P. for the Respondent.

CORAM : A.S.OKA, J.
DATED : JULY 18, 2005.

P.C.:

1. The Applicant in Criminal Application No.4329 of 2005 was enlarged on bail by order dated 6th July, 2004. One of the conditions imposed for grant of bail was that the said Applicant should report to the concerned Police Station once in a week till the conclusion of the trial. The Applicant in Criminal Application No.4330 of 2005 was ordered to be enlarged on bail by order dated 2nd August, 2004. While granting bail in favour of the said Applicant, this court imposed a condition of reporting to the concerned Police Station on every first and third Saturday between 10.00 a.m. to 11.00 a.m. until the conclusion of the trial.

2. An Application was made by the Applicant in Criminal Application No.4329 of 2005 with prayer for modification of the said condition. The said Application was not entertained and liberty was

granted to the Applicant to apply for modification if the trial does not start within three months.

3. The grievance of the Applicant in both the Applications is that there is no progress has been made in the trial and for last more than ten months they are required to attend the concerned Police Station. The prayer is for relaxation of the condition regarding attendance.

4. The Applicants have annexed to the Applications the documents showing that there is a compliance made with the conditions imposed by this Court. The Applicant in Criminal Application No.4329 of 2005 has been attending the Police Station in compliance with the said condition from April, 2004. If the trial has not progressed, in my view the conditions imposed while enlarging the Applicants on bail deserve to be modified. Interests of justice will be served if both the Applicants are directed to attend the concerned Police Station on every first Saturday of every English Calendar Month from 10.00 a.m. to 11.00 a.m. untill the conclusion of the trial.

5. Hence, I pass the following order:

: O R D E R :

i) The condition incorporated in order dated 6th

April, 2004 passed by this Court in Criminal Application No.1467 of 2004 is modified. It is directed that the Applicant shall report to the concerned Police Station on every first Saturday of every calendar month from 10.00 a.m. to 11.00 a.m. till the conclusion of the trial.

ii) Order dated 2nd August, 2004 in Criminal Application NO.2730 of 2004 is modified. It is directed that the Applicant shall report to the concerned Police Station on every first Saturday of every calendar month from 10.00 a.m. to 11.00 a.m. till the conclusion of the trial.

iii) Application is disposed of in above terms.

iv) Parties to act upon an authenticated copy of this order.

JUDGE